

REMARKS

Claims 1-7, 10, and 14 are pending in the application.

Applicants have deleted the term "heteroaryl" from the definition of R⁸ in claim 1.

Applicants have deleted both occurrences of the phrase "or are protected derivatives thereof" from claim 14.

These amendments are being made for the sole purpose of expediting prosecution of the present application.

No new matter is introduced by these amendments.

Applicants expressly reserve the right to pursue any or all of the above cancelled subject matter (as well as any subject not presently claimed) in a later filed continuation application.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 1-7, 10, and 14 remain rejected for allegedly failing to comply with the written description requirement of 35 U.S.C. § 112, first paragraph. According to the Office (Office Action, page 3):

The following terms of Claim 1 are not defined in the specification so as to know the structures of the compounds that are included and/or excluded by the term: 'heteroaryl' when defining variables R⁸.

Applicants respectfully disagree with the grounds for the rejection; however, to expedite prosecution, Applicants have deleted the term "heteroaryl" from the definition of R⁸ in claim 1. In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Claim 14 is rejected for allegedly failing to comply with the written description requirement of 35 U.S.C. § 112, first paragraph. According to the Office (Office Action, pages 3-4):

The 'protected derivatives' of the compounds of formula (II) or (III) are not defined in the specification so as to know the structures of the compounds that are included and/or excluded by the term.

Applicants respectfully disagree with the grounds for the rejection; however to expedite prosecution, Applicants have deleted both occurrences of the phrase "or are protected derivatives thereof" from claim 14. In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, second paragraph

Claim 14 is rejected for allegedly being indefinite " for the reasons set forth above under 35 U.S.C. 112, first paragraph" (Office Action, page 4).

Applicants respectfully disagree with the grounds for the rejection; however to expedite prosecution, Applicants have deleted both occurrences of the phrase "or are protected derivatives thereof" from claim 14. In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

The fee for the two month extension fee (\$460) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of a Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06275-435US1.

Respectfully submitted,

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